

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,
THE EMPLOYEES RETIREMENT SYSTEM
OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO, AND
THE PUERTO RICO PUBLIC BUILDINGS
AUTHORITY,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**INFORMATIVE MOTION OF FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO REGARDING OBJECTIONS TO CERTAIN EXHIBITS
OFFERED BY PETER C. HEIN**

To the Honorable United States District Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”),
as the sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”),

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

the Puerto Rico Public Buildings Authority (“PBA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth and PBA, the “Debtors”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² respectfully submits this informative motion (the “Informative Motion”) regarding the Oversight Board’s objections to two (2) certain exhibits offered by Peter C. Hein (“Mr. Hein”). The Oversight Board respectfully states as follows:

1. The Court heard oral argument on the Oversight Board’s objections to Mr. Hein’s Exhibit JJ [ECF No. 18760-19] (“Hein Exhibit JJ”) and Mr. Hein’s Exhibit AAA [ECF No. 18761-03] (“Hein Exhibit AAA”) at the November 1, 2021 pretrial conference.³ The Court directed the Oversight Board to (i) file annotated versions of Hein Exhibit JJ and Hein Exhibit AAA identifying the specific language to which the Oversight Board objects and using unique identifiers corresponding to the bases for such objections; and (ii) provide the Court with a “key” for the unique identifiers.

2. In compliance with the Court’s directive, the Oversight Board hereby submits annotated versions of the as-filed versions of Hein Exhibits JJ and AAA, attached respectively as **Exhibits 1** and **2** hereto. Pursuant to the Court’s direction, in each exhibit, the Oversight Board has shaded and bracketed the specific language to which it is objecting and provided unique identifiers for each objection in superscript inside the closing bracket. The key for these identifiers is set forth below:

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

³ Hein Exhibit JJ was also marked by Mr. Hein as “Exhibit GG” on the face of the document, and Hein Exhibit AAA was also marked by Mr. Hein as “Exhibit G” on the face of the document.

Identifier	Basis for Objection
A	Fed. R. Evid. 402
B	Fed. R. Evid. 403
C	Fed. R. Evid. 602
D	Fed. R. Evid. 702
E	Fed. R. Evid. 802

3. The Oversight Board respectfully requests that the Court take notice of the foregoing and attached Exhibits 1 and 2.

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Dated: November 2, 2021
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock
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CERTIFICATE OF SERVICE

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

/s/ Hermann D. Bauer
Hermann D. Bauer